

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

**IN RE: Bard IVC Filters Products Liability
Litigation,**

No. MDL 15-02641-PHX DGC

Lisa Hyde and Mark E. Hyde, a married couple,

No. CV-16-00893-PHX-DGC

Plaintiffs,

ORDER

C. R. Bard, Inc., a New Jersey corporation,
and Bard Peripheral Vascular, Inc., an
Arizona corporation,

Defendants.

The Hyde trial is set to begin on **September 18, 2018 at 9:00 a.m.** A final pretrial conference will be held on **September 6, 2018 at 10:00 a.m.** In preparation for trial, the Court enters the following order:

1. The attorneys who will be responsible for the trial of the case shall attend the final pretrial conference.

2. The parties jointly shall prepare a proposed final pretrial order and shall lodge it with the Court no later than **4:00 p.m. on August 24, 2018**. Preparation and lodging of the proposed final pretrial order in accordance with the requirements of this order shall be deemed to satisfy the disclosure requirements of Rule 26(a)(3) of the

1 Federal Rules of Civil Procedure. The parties shall submit a copy of the proposed final
2 pretrial order to the Court in Word format to Nancy_Outley@azd.uscourts.gov.

3 3. The proposed final pretrial order shall include the information prescribed in
4 the Joint Proposed Final Pretrial Order form found at www.azd.uscourts.gov under:
5 (1) Judges' Information, (2) Orders, Forms and Procedures, and (3) David G. Campbell.
6 Information shall not be set forth in the form of a question, but shall be presented in
7 concise narrative statements. With respect to jury instructions and the verdict form, the
8 Court intends to use the same format for the preliminary and final jury instructions and
9 the verdict form used in the Jones trial. The parties need not follow the jury instruction
10 form found at www.azd.uscourts.gov, but instead should simply submit their stipulated
11 and proposed jury instructions and verdict form(s) consistent with the Court's prior
12 guidance concerning these matters. With respect to voir dire, the Court intends to ask the
13 voir dire questions from the Jones trial. The parties should submit only stipulated and
14 proposed changes to the Jones voir dire questions by **July 13, 2018**.

15 4. The Court will not allow the parties to offer any exhibit, witness, or other
16 evidence that was not disclosed in accordance with the provisions of this order and the
17 Federal Rules of Civil Procedure and listed in the proposed final pretrial order, except to
18 prevent manifest injustice. Fed. R. Civ. P. 16(e). Objections to witnesses and documents
19 should also be listed.

20 5. Plaintiffs shall have the burden of initiating communications concerning the
21 proposed final pretrial order.

22 6. The parties shall (a) number and mark exhibits in accordance with the
23 Exhibit Marking Instructions at www.azd.uscourts.gov under Judges and Courtrooms and
24 Orders, Forms and Procedures (such numbers shall correspond to exhibits numbers listed
25 in the proposed final pretrial order); (b) meet in person and exchange marked copies of
26 all exhibits to be used at trial no later than **14 days** before the submission deadline for the
27 proposed final pretrial order; and (c) eliminate any duplicate exhibits while meeting to
28 exchange exhibits.

1 7. In order to facilitate the creation of an accurate record, the parties shall file
2 a "Notice to Court Reporter" **on or before August 24, 2018** containing the following
3 information that may be used at trial:

- (a) Proper names, including those of witnesses.
 - (b) Acronyms.
 - (c) Geographic locations.
 - (d) Technical (including medical) terms, names or jargon.
 - (e) Case names and citations.
 - (f) Pronunciation of unusual or difficult words or names.

Dated this 13th day of July, 2018.

Daniel G. Campbell

**David G. Campbell
United States District Judge**